

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 1:21-cr-41-JL
	)	
NOBODY	)	
_____	)	

ASSENTED-TO MOTION TO AMEND PRELIMINARY ORDER OF FORFEITURE

The United States of America moves to amend the Preliminary Order of Forfeiture for the following reasons:

1. The defendant, Nobody, pleaded guilty to Count Sixteen of an Indictment that charges him with wire fraud, in violation of 18 U.S.C. § 1343. DN 136.

2. The Indictment contained a Notice of Forfeiture, which stated that, upon conviction, the defendant shall forfeit any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the charged offenses.

The Notice further stated that pursuant to 21 U.S.C. § 853(p), the United States of America shall be entitled to forfeiture of substitute property if any of the property described above, as a result of any act or omission of the defendants: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty. *Id.*

3. On May 18, 2021, the United States filed a Bill of Particulars, listing specific properties that were subject to forfeiture. DN 66.

4. On July 28, 2022, this Court issued a Preliminary Order of Forfeiture, forfeiting to the United States all of the defendant's interest in: (21-FBI-005592) Misc. Goldbacks and (21-FBI-005554) 143 silver coins and one 10-oz silver bar. DN 173.

5. In addition to the specific assets identified in the Preliminary Order of Forfeiture, Nobody agreed to a personal money judgment in the amount of \$10,000.00. Nobody further acknowledged that one or more of the conditions set forth in 21 U.S.C. § 853(p) exists; and that the United States is therefore entitled to forfeit substitute assets to satisfy the money judgment. DN 186.

6. The United States seeks to amend the Preliminary Order of Forfeiture to include the personal money judgment in the amount of \$10,000, pursuant to Rule 32.2(e)(1).

7. Patrick Richard, Esq., and Anessa Allen Santos, Esq., counsel for the defendant, Nobody, assent to the relief sought in this motion.

Respectfully Submitted,

JANE E. YOUNG  
United States Attorney

Date: October 28, 2022

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